



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption In Compliance With D.N.J. LBR 9004-1(b)

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Order Filed on August 29, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

VARUN MALIK,

Debtor.

Case No. 22-11708 CMG

Judge: Hon. Christine M. Gravelle

Chapter 11

**ORDER (1) ENFORCING COURT ORDER DIRECTING SWATI BHATHEJA A/K/A
SWATI MALIK TO PRODUCE DOCUMENTS AND APPEAR AT A 2004
EXAMINATION; (2) ENFORCING COURT ORDER DIRECTING GLENWOOD
OFFICE FURNITURE II TO PRODUCE DOCUMENTS AND APPEAR AT A 2004
EXAMINATION; (3) SETTING DATES FOR THE CONTINUED 2004 EXAMINATION
OF VARUN MALIK AND COMPELLING VARUN MALIK TO PRODUCE
DOCUMENTS; (4) EXTENDING TIME TO CHALLENGE THE DISCHARGEABILITY
OF CERTAIN DEBTS; AND (5) GRANTING OTHER RELATED RELIEF**

The relief set forth on the following page numbered two (2) through four (4) is hereby

ORDERED.

DATED: August 29, 2022

A handwritten signature in black ink, appearing to read "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Varun Malik

Case No.: Case No. 22-11708 CMG

Caption: Order (1) Enforcing Court Order Directing Swati Bhatheja a/k/a Swati Malik To Produce Documents And Appear At A 2004 Examination; (2) Enforcing Court Order Directing Glenwood Office Furniture II To Produce Documents And Appear At A 2004 Examination; (3) Setting Dates For The Continued 2004 Examination Of Varun Malik And Compelling Varun Malik To Produce Documents; (4) Extending Time To Challenge The Dischargeability Of Certain Debts; And (5) Granting Other Related Relief

THIS MATTER having been opened to the Court on the Motion of Fulton Bank, N.A. (the “Fulton Bank”), by and through its counsel Duane Morris LLP for the entry of an Order (1) Enforcing Court Order Directing Swati Bhatheja a/k/a Swati Malik To Produce Documents And Appear At A 2004 Examination; (2) Enforcing Court Order Directing Glenwood Office Furniture II To Produce Documents And Appear At A 2004 Examination; (3) Setting Dates For The Continued 2004 Examination Of Varun Malik And Compelling Varun Malik To Produce Documents; (4) Extending Time To Challenge The Dischargeability Of Certain Debts; And (5) Granting Other Related Relief (the “Motion”)¹; it appearing that Glenwood Office Furniture II (“Glenwood Office”) and Swat Bhatheja a/k/a Swati Malik (“Swati”), by and through their attorneys Hartmann Doherty Rosa Berman & Bulbulia, LLC, having each filed Cross-Motions for the Entry of an Order Quashing Fed. R. Bankr. P. 2004 Subpoena (the “Glenwood Office Cross-Motion” and “Swati Cross-Motion”, respectively, and the Court having considered the pleadings in support of the Motion; and the Court having considered opposition to the Motion, the Glenwood Office Cross-Motion and the Swati Cross-Motion; and the Court having considered oral argument at the hearing conducted on August 23, 2022; and the Court having entered an order on August 24, 2022 denying the Swati Cross-Motion (Dkt. No. 154); and good and sufficient cause existing for entering the within Order;

It is hereby ORDERED as follows:

¹ Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Motion.

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Debtor: Varun Malik

Case No.: Case No. 22-11708 CMG

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1. Fulton Bank's Motion is granted as set forth herein.

2. Glenwood Office shall provide the Glenwood Documents to Fulton Bank's counsel

on or before September 9, 2022.

3. Glenwood Office's counsel shall coordinate with Fulton Bank's counsel the scheduling of Ravi Uppal and/or Tim Quill's 2004 Examination for a date shortly after September 9, 2022.

4. Glenwood Office shall issue payment to Fulton Bank in the amount of \$1,000 and delivered to Fulton Bank's counsel within five (5) days of the entry of this order as a sanction on Glenwood Office for failing to comply with the Glenwood 2004 Order.

5. The Glenwood Office Cross-Motion be and hereby is denied.

6. Swati shall provide the Swati Documents to Fulton Bank's counsel on or before September 9, 2022.

7. Swati's counsel shall coordinate with Fulton Bank's counsel the scheduling of Swati's 2004 Examination for September 12, 2022, if Swati is available, and Swati's appearance at the September 14, 2022 hearing on Fulton Bank's motion to convert the chapter 11 case to chapter 7 (the "Conversion Motion").

8. The Debtor's counsel shall advise Fulton Bank's counsel on or before September 1, 2022 as to whether the Debtor will be proceeding with a settlement.

9. The Debtor shall provide to Fulton Bank on or before September 1, 2022 copies of his Union Bank of India Bank Statements for the years 2018 to the present or Bank Statements

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Case No.: Case No. 22-11708 CMG

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associated with bank account number 2174 at the Union Bank of India or in the alternative, a certification stating the reason that the Bank Statements cannot be produced along with the Union Bank of India contact person name, address and telephone number.

10. In the event that counsel referenced in paragraph's 3 and 7 hereof are unable to coordinate a date for scheduling the 2004 Examination or Swati's appearance at the hearing on the Conversion Motion, the Court will permit the scheduling of a telephonic hearing to resolve same.

11. A continued hearing on the Motion shall be scheduled for September 14, 2022 at 9:00 a.m.